

REMARKS

Applicant respectfully requests reconsideration of the present application.

CLAIMS STATUS

Applicants have amended claim 16 to present the invention in a clearer manner. No new matter has been added. The amendment should be entered because it presents rejected claims in a better form for consideration on appeal. Applicants reserve the right to file one or more continuation applications directed to a subject matter omitted by the present amendment.

Applicants have cancelled claims 1-3, 5-15 and 20-23 without prejudice or disclaimer. Applicants reserve the right to file one or more continuation applications directed to the cancelled subject matter.

After the amendment, claims 16-19 are pending in the application.

Applicants thank the Examiner for indicating allowability of claims 16-19, should they be rewritten in an independent form.

Applicants also thank the Examiner for the April 10th interview, the subject of which can be gleaned from the present response.

CLAIMS OBJECTIONS

Claim 21 stands objected to for informalities listed on page 2 of the Office Action. Applicants believe that the revised claim set obviates the objection.

Claims 16-19 stand objected as dependent on a rejected base claims. Applicants believe that revised claims 16-19 obviate the objection.

REJECTIONS UNDER 35 U.S.C. § 112, ¶ 1

Claim 21 stands rejected because the specification, while being enabling for therapeutic agents or a contraceptive or a prophylactic for dysmenorrheal, does not provide enablement for other prophylactic agents. Applicants believe that the revised claim set obviates the rejection.

DOUBLE PATENTING

Claims 1-3, 6-15 and 20-23 stand rejected on the ground of non-statutory double patenting over claims 1-18 of Saikawa (US 6,740,634). Applicants believe that the revised claim set obviates the rejection.

CONCLUSION

Applicants believe that the present application is in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested. The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely

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acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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